



State of California—Health and Human Services Agency
Department of Health Care Services



December 23, 2022

THIS LETTER SENT VIA EMAIL

Mr. James G. Scott, Director
Division of Program Operations
Medicaid and CHIP Operations Group
Centers for Medicare & Medicaid Services
601 East 12th Street, Suite 0300
Kansas City, MO 64106-2898

STATE PLAN AMENDMENT 22-0067: CONTINUATION OF SUPPLEMENTAL PAYMENTS TO FEDERALLY QUALIFIED HEALTH CENTERS, RURAL HEALTH CLINICS, INDIAN HEALTH SERVICE-MEMORANDUM OF AGREEMENT, AND TRIBAL FEDERALLY QUALIFIED HEALTH CENTERS FOR COVID-19 VACCINE-ONLY VISITS FOLLOWING THE END OF THE PUBLIC HEALTH EMERGENCY

Dear Mr. Scott:

The Department of Health Care Services (DHCS) is submitting State Plan Amendment (SPA) 22-0067 for your review and approval. This SPA proposes to continue supplemental payments to Federally Qualified Health Centers (FQHC), Rural Health Clinics (RHC), Indian Health Service-Memorandum of Agreement (IHS-MOA), and Tribal FQHCs for COVID-19 vaccine-only visits following the end of the Public Health Emergency (PHE). DHCS seeks an effective date of January 1, 2023.

During the PHE, DHCS provided supplemental payments outside the per-visit rates paid to FQHCs, RHCs, IHS-MOAs, and Tribal FQHCs when a COVID-19 vaccine was administered on its own outside of a billable visit. The supplemental payments were approved by the Centers for Medicare and Medicaid Services in disaster SPAs 20-0040 and 21-0020.

DHCS released the SPA 22-0067 tribal notice on November 16, 2022.

The following documents are included in this submission:

- Cover Letter
- CMS 179 Form
- Attachment 4.19-B, page 6AA5

- Supplement 6 to Attachment 4.19-B, pages 2c and 4.4
- Tribal Notice
- Public Notice
- Standard Funding Questions

If you have any questions or need additional information, please contact Andrea Zubiata, Chief, Office of Tribal Affairs, at (916) 713-8623 or by email at Andrea.Zubiata@dhcs.ca.gov.

Sincerely,



Jacey Cooper
State Medicaid Director
Chief Deputy Director
Health Care Programs

Enclosures

cc: Ms. René Mollow, MSN, RN
Deputy Director
Health Care Benefits & Eligibility
Department of Health Care Services
Rene.Mollow@dhcs.ca.gov

Ms. Andrea Zubiata, Chief
Office of Tribal Affairs
Department of Health Care Services
Andrea.Zubiata@dhcs.ca.gov

Ms. Saralyn M. Ang-Olson, JD, MPP
Chief Compliance Officer
Office of Compliance
Department of Health Care Services
Saralyn.Ang-Olson@dhcs.ca.gov

Mr. Aaron Toyama
Senior Advisor
Health Care Programs
Department of Health Care Services
Aaron.Toyama@dhcs.ca.gov

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL
FOR: CENTERS FOR MEDICARE & MEDICAID SERVICES**

1. TRANSMITTAL NUMBER

2. STATE

3. PROGRAM IDENTIFICATION: TITLE OF THE SOCIAL
SECURITY ACT XIX XXI

TO: CENTER DIRECTOR
CENTERS FOR MEDICAID & CHIP SERVICES
DEPARTMENT OF HEALTH AND HUMAN SERVICES

4. PROPOSED EFFECTIVE DATE

5. FEDERAL STATUTE/REGULATION CITATION

6. FEDERAL BUDGET IMPACT (Amounts in WHOLE dollars)
a. FFY _____ \$ _____
b. FFY _____ \$ _____

7. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT

8. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable)

9. SUBJECT OF AMENDMENT

10. GOVERNOR'S REVIEW (Check One)

GOVERNOR'S OFFICE REPORTED NO COMMENT
COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

OTHER, AS SPECIFIED:

Please note: The Governor's Office does not wish to review
the State Plan Amendment.

11. SIGNATURE OF STATE AGENCY OFFICIAL

15. RETURN TO

12. TYPED NAME

13. TITLE

14. DATE SUBMITTED
December 23, 2022

FOR CMS USE ONLY

16. DATE RECEIVED

17. DATE APPROVED

PLAN APPROVED - ONE COPY ATTACHED

18. EFFECTIVE DATE OF APPROVED MATERIAL

19. SIGNATURE OF APPROVING OFFICIAL

20. TYPED NAME OF APPROVING OFFICIAL

21. TITLE OF APPROVING OFFICIAL

22. REMARKS

B1. ALTERNATIVE PAYMENT METHODOLOGY (APM) TO FEDERALLY QUALIFIED HEALTH CENTERS (FQHC) AND RURAL HEALTH CLINICS (RHC) FOR COVID-19 VACCINE ADMINISTRATION.

- a. APM Reimbursement:
 - i. The APM for COVID-19 vaccine administration when administered during a COVID-19 vaccine-only visit will be a separate supplemental payment to the applicable Prospective Payment Systems (PPS) rate or applicable APM for a medical visit as described in Attachment 4.19-B, beginning on page 6B.1.
 - ii. The supplemental payment will be available at the applicable fee schedule rates for COVID-19 vaccine administration when the COVID-19 vaccine is administered during a COVID-19 vaccine-only visit. Reimbursement for the supplemental payment will occur at time of billing.
 - iii. When the COVID-19 vaccine is administered as part of an otherwise billable FQHC/RHC encounter per Attachment 4.19-B, the encounter is reimbursed under the existing PPS/APM per Attachment 4.19-B, and no supplemental payment will be made. The FQHC or RHC provider must agree to receive the APM, and the APM will not be less than the PPS rate.
 - iv. The COVID-19 APM supplemental payment will be separate from PPS reimbursement and is excluded from the reconciliation of the clinics' reimbursement to the PPS rate.
- b. APM Term:
 - i. Date of service is January 1, 2023.
- c. Eligible Services:
 - i. COVID-19 vaccine administration pursuant to section 319 of the Public Health Service (PHS) Act, PHE Determination as the Result of the Consequences of COVID-19, when administered during a COVID-19 vaccine-only visit.

REIMBURSEMENT FOR INDIAN HEALTH SERVICES TRIBAL 638 HEALTH FACILITIES

Supplemental Payments for COVID-19 Vaccine Administration

a. Reimbursement:

- i. Payment for a COVID-19 vaccine administration given during a COVID-19 vaccine-only visit will be a separate supplemental payment to the applicable All-Inclusive Rate (AIR) for a medical visit as described in Supplement 6 Attachment 4.19-B. This additional reimbursement is necessary to account for the increase in vaccine-only visits due to COVID-19 vaccine administration not included in the AIR.
- ii. The supplemental payment will be available at the applicable fee schedule rates for COVID-19 vaccine administration when the COVID-19 vaccine is administered during a COVID-19 vaccine-only visit. Reimbursement for the supplemental payment will occur at time of billing.
- iii. The COVID-19 IHS-MOA 638 provider supplemental payment will be separate from AIR reimbursement when the COVID-19 vaccine is administered as part of an otherwise billable IHS-MOA 638 provider encounter described in Supplement 6 Attachment 4.19-B, the encounter is reimbursed under the existing AIR and no supplemental payment will be made.

b. Supplemental Payment Term:

- i. Date of service is January 1, 2023.

c. Eligible Services:

- i. COVID-19 vaccine administration pursuant to section 319 of the Public Health Service (PHS) Act, PHE Determination as the Result of the Consequences of COVID-19, when administered during a COVID-19 vaccine-only visit.

B1. ALTERNATIVE PAYMENT METHODOLOGY (APM) TO TRIBAL FEDERALLY QUALIFIED HEALTH CENTERS (TRIBAL FQHC) FOR COVID-19 VACCINE ADMINISTRATION.

- a. APM Reimbursement:
 - i. The APM for COVID-19 vaccine administration when administered during a COVID-19 vaccine-only visit will be a separate supplemental payment to the applicable APM, which is set at the All-Inclusive Rate (AIR), for a medical visit as described in Supplement 6 Attachment 4.19-B.
 - ii. The supplemental payment will be available at the applicable fee schedule rates for COVID-19 vaccine administration when the COVID-19 vaccine is administered during a COVID-19 vaccine-only visit. Reimbursement for the supplemental payment will occur at time of billing.
 - iii. The COVID-19 APM supplemental payment will be separate from Tribal FQHC APM reimbursement when the COVID-19 vaccine is administered as part of an otherwise billable provider encounter as described in Supplement 6 Attachment 4.19-B, the encounter is reimbursed under the existing per-visit APM, and no supplemental payment will be made.
- b. APM Term:
 - i. Date of service is January 1, 2023.
- c. Eligible Services:
 - i. COVID-19 vaccine administration pursuant to section 319 of the Public Health Service (PHS) Act, PHE Determination as the Result of the Consequences of COVID-19, when administered during a COVID-19 vaccine-only visit.

TN: 22-0067

Supersedes

TN: New

Approval Date: _____

Effective Date: January 1, 2023